

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAIME SANDOVAL,  
Plaintiff,  
  
v.  
  
BNSF RAILWAY COMPANY,  
Defendant.

No. CV-05-241-FVS  
  
ORDER OF DISMISSAL

**BEFORE THE COURT** is the Plaintiff's Notice of Voluntary Dismissal With Prejudice Pursuant to Federal Rule of Civil Procedure 41(a), Ct. Rec. 3. Dismissal is appropriate in this action because the Defendant has not yet served its answer and because the Court has been advised that the parties have settled their dispute. Accordingly,

**IT IS HEREBY ORDERED** that this action is **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.** The District Court Executive is hereby directed to enter this Order, furnish copies to counsel, and **CLOSE THE FILE**.

**DATED** this 14th day of December, 2005.

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s/Fred Van Sickle  
Fred Van Sickle  
United States District Judge